

Appl. No. 10/010,586  
Amdt. dated 5/25/05  
Reply to Office Action of 3/10/05

**PATENT**  
Docket: 010496

### **REMARKS**

This Amendment is responsive to the Office Action dated March 10, 2005. Applicant has amended claims 1, 10, 12, 14, 17, 19, 21, 23, 27, 29; canceled claims 11, 13 and 20; and added new claims 31-33. Claims 1-10, 11, 12, 14-19 and 21-33 are now pending.

This Amendment should place this application in condition for immediate allowance. Each independent claim is addressed below.

#### ***Claim 1***

Claim 1 has been amended to recite the limitations formerly recited in dependent claim 13 and intervening claim 11. In the Office Action, the Examiner objected to claim 13 as being dependent upon a rejected base claim, but indicated that claim 13 would be allowable if re-written into independent form. Claim 1 and its respective dependent claims are now in condition for allowance.

#### ***Claim 14***

Claim 14 has been amended to be in independent form, including the limitations formerly recited in base claim 1 and intervening claim 11. In the Office Action, the Examiner objected to claim 14 as being dependent upon a rejected base claim, but indicated that claim 14 would be allowable if re-written into independent form. Claim 14 is now in condition for allowance.

#### ***Claim 17***

Claim 17 is a computer readable medium claim that generally corresponds to method claim 1. Like claim 1, claim 17 has been amended to recite limitations similar to those of former dependent claim 13 and former intervening claim 11. Claim 17 and its dependent claim 18 are now in condition for allowance.

#### ***Claim 19***

Claim 19 has been amended to recite the limitations formerly recited in dependent claim 20. In the Office Action, the Examiner objected to claim 20 as being dependent upon a rejected base claim, but indicated that claim 20 would be allowable if re-written into independent form.

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In addition, Applicants have further amended claim 19 to require that a weight factor used in calculating the weighted sum comprises a number of pilot symbols in the accumulated pilot symbols multiplied by a constant. Notably, to the extent the prior art applied by the Examiner (U.S. patent 5,412,686 to Ling) uses weight factors, the weight factors themselves are constant. In contrast, if the weight factor comprises a number of pilot symbols in the accumulated pilot symbols multiplied by a constant (as now defined in many of Applicant's claims), the weight factor changes when the number of pilot symbols change.

Claim 19 and its respective dependent claims are now in condition for allowance.

#### *Claim 21*

Claim 21 has been rewritten in independent form. In the Office Action, the Examiner objected to claim 21 as being dependent upon a rejected base claim, but indicated that claim 21 would be allowable if re-written into independent form.

In addition, Applicants have further amended claim 21 to require that a weight factor used in calculating the weighted sum comprises a number of pilot symbols in the accumulated pilot symbols multiplied by a constant. As claim 21 has been drafted to be in independent form, this claim is now in condition for allowance. Accordingly, dependent claim 22 is also in condition for allowance.

#### *Claim 23*

Claim 23 has been amended to be in independent form. In the Office Action, the Examiner objected to claim 23 as being dependent upon a rejected base claim, but indicated that claim 23 would be allowable if rewritten into independent form.

In addition, Applicants have further amended claim 23 to require that a weight factor used in calculating the weighted sum comprises a number of pilot symbols in the accumulated pilot symbols multiplied by a constant. Claim 23 is now in condition for allowance.

#### *Claims 27 and 29*

Claims 27 and 29 are system claims that have been amended to recite limitations similar to those of claim 1, outlined above. In particular, like claim 1, claims 27 and 29 have been amended to recite limitations similar to those of former dependent claim 13 and former intervening claim

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11. Claim 27 and its dependent claim 28 are now in condition for allowance, and claim 29 and its dependent claim 30 are now in condition for allowance.

***New Claim 31***

Claim 31 is a computer readable medium claim that generally corresponds to method claim 14. Like claim 14, claim 31 recites limitations similar to those of former independent claim 1, former intervening claim 11 and former dependent claim 14. New claim 31 is in condition for allowance.

***New claims 32 and 33***

New claims 32 and 33 are system claims that recite limitations similar to those of claim 14, outlined above. In particular, like claim 14, new claims 32 and 33 recite limitations similar to those of former independent claim 1, former intervening claim 11 and former dependent claim 14. New claims 32 and 33 are in condition for allowance.

**CONCLUSION**

All claims in this application are in condition for allowance. Applicant respectfully requests reconsideration and prompt allowance of all pending claims. Please charge any additional fees or credit any overpayment to deposit account number 17-0026. The Examiner is invited to telephone the below-signed attorney to discuss this application.

Respectfully submitted,

by 

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Dated: 5/25/05

By: \_\_\_\_\_

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